



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/756,478	01/08/2001	Jonathan S. Stamler	1818.1026-006

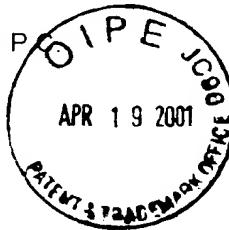
CONFIRMATION NO. 7552

FORMALITIES LETTER



OC000000005802258

David E. Brook, Esq.
 HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
 Two Militia Drive
 Lexington, MA 02421-4799



Date Mailed: 02/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

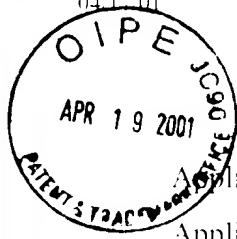
- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1866.
 - \$666 for 37 total claims over 20.
 - \$1200 for 15 independent claims over 3 .
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2706.**

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jonathan S. Stamler and Alfred Hausladen
Application No.: 09 756,478 Group: 1645
Filed: January 8, 2001 Examiner: Not provided
For: Therapies Using Hemoproteins

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents.

Washington, D.C. 20231

on April 19 2001 Kathleen M. Bastarache
Date Signature

Kathleen M. Bastarache
Typed or printed name of person signing certificate

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated **February 26, 2001**, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

[X] EXECUTED DECLARATION/POWER OF ATTORNEY

(Separate transmittal letter and postcard not required)

[X] FILING FEE - with Fee Transmittal for Patent Applications in duplicate.

(Separate transmittal letter and postcard not required)

[X] SURCHARGE - surcharge fee of \$ 65.00.

(Separate transmittal letter and postcard not required)

[] SEQUENCE LISTING - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

[] TRANSMITTAL OF SUBSTITUTE DRAWINGS

[] Sheets of substitute drawings consisting of Figs. 1 - [] are enclosed.
(Separate transmittal letter and postcard not required)

[] PETITION FOR EXTENSION OF TIME

[] Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [] for [] month(s) from [] to [].
The appropriate fee of \$[] is included in the enclosed check.

[] A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee.

[] Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

[] REQUEST FOR CORRECTED FILING RECEIPT - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

[X] STATEMENT CLAIMING SMALL ENTITY STATUS

[] Was filed on [].

[X] Is enclosed herewith.

(Separate transmittal letter and postcard not required)

[] In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$ 1353.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Carol A. Egner
Carol A. Egner
Registration No.: 38,866
Tel.: (781) 861-6240
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: April 17, 2001

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

APR 1 2001

FREE TRANSMITTAL FOR PATENT APPLICATIONS

Attorney Docket Number 1818.1026-006

Application Number 09/756,478

First Named Inventor Jonathan S. Stamler

APR 19 2001

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (i))	57	- 20* =	37	x \$ 18 =	\$ 666
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	18	- 3** =	15	x \$ 80 =	\$ 1200
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 270 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 710
				Total of above Calculations =	\$ 2576
				Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =	\$ 1288
				TOTAL =	\$ 1288
				Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =	\$ 65
				Petition for Extension of Time Fee (37 C.F.R. 1.17) =	\$
				Assignment Recordation Fee = (only when filed with application)	\$
* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent				TOTAL =	\$ 1353

1. Small entity status:

- a. A small entity statement is enclosed.
- b. A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. Is no longer claimed.

2. A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. A check is enclosed for \$1353.00. Please charge \$[] to Deposit Account No. 08-0380.

4. Other: _____

Signature

Carol A. Egner

Date

April 17, 2001

Submitted by
Typed or Printed Name

Carol A. Egner

Reg. Number

38,866